

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

CR2014-002527-003 DT

08/18/2016

HONORABLE DANIELLE J. VIOLA

CLERK OF THE COURT  
I. Huerta  
Deputy

STATE OF ARIZONA

VANESSA MARIE LOSICCO

v.

STEPHEN PAUL LACY (003)

JON MARTINEZ

TRIAL MINUTE ENTRY  
DAY 5

Courtroom SCT 7A

Prior to commencement of Trial, State's exhibit 154 is marked for identification.

10:46 a.m. Trial to a jury continues from 08/17/2016. The State is represented by Deputy County Attorney, Vanessa Cuevas. The defendant is present and represented by Defense Counsel, Jon Martinez.

Court Reporter, Jovanna Roman, is present.

A record of the proceedings is also made digitally.

LET THE RECORD REFLECT Trial in this matter is being conducted with Trial with co-defendants 001, 002 and 004.

The jury panel is present.

State's case continues:

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James Irby is sworn and testifies.

State's counsel offers exhibit 154.

Defense counsel does not object.

Exhibit 154 is received in evidence.

The Court receives a written question from the jury. Court and counsel discuss the question, on the record, out of hearing of the jury. The relevant question is asked of and answered by the witness.

FILED: Jury Question (1)

The witness is excused.

Anthony Micich is sworn and testifies.

The witness makes an in-court identification of defendant Lacy.

The witness makes an in-court identification of defendant McLaughlin.

State's counsel offers exhibit 86.

Defense counsel does not object.

Exhibit 86 is received in evidence.

State's counsel offers exhibit 84.

Defense counsel does not object.

Exhibit 84 is received in evidence.

State's counsel offers exhibit 83.

Defense counsel does not object.

Exhibit 83 is received in evidence.

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LET THE RECORD REFLECT exhibit 86 is opened in Court by the prosecutor. Exhibit containing same. Exhibit remains unsealed.

LET THE RECORD REFLECT exhibit 84 is opened in Court by the prosecutor. Exhibit containing same. Exhibit remains unsealed.

LET THE RECORD REFLECT exhibit 83 is opened in Court by the prosecutor. Exhibit containing same. Exhibit remains unsealed.

12:00 p.m. The jury panel is reminded of previous admonitions and Court stands at recess.

State's exhibit 155 is marked for identification.

1:37 p.m. Court reconvenes with respective counsel and defendant present.

Court Reporter, Jovanna Roman, is present.

A record of the proceedings is also made digitally.

The jury panel is present.

Anthony Micich continues to testify.

The witness is excused.

1:47 p.m. The jury panel is reminded of previous admonitions and excused from the courtroom. Court remains in session.

The Court notes, at the conclusion of trial on 08/17/2016, counsel for the State raised an issue with respect to whether or not the jury could be provided with notebooks with transcripts of an audio cd.

Counsel present argument to the Court.

As specified on the record, the State will be permitted to provide the notebooks with transcripts to the jury. As to the admission of the notebooks with transcripts, the Court reserves ruling until the Court has heard the telephone calls.

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State's exhibit 156 is marked for identification.

Defense counsel objects to the jury keeping the notebooks in their possession during the trial.

The objection is overruled.

2:37 p.m. The jury panel is present.

Monica Adams is sworn and testifies.

State's counsel offers exhibit 155.

Defense counsel does not object.

Exhibit 155 is received in evidence.

3:56 p.m. The jury panel is reminded of previous admonitions and Court stands at recess.

4:05 p.m. Court reconvenes with respective counsel and defendant present.

Court Reporter, Jovanna Roman, is present.

A record of the proceedings is also made digitally.

The jury panel is present.

Monica Adams continues to testify.

4:32 p.m. The jury panel is reminded of previous admonitions and Court stands at recess until 08/22/2016 at 1:30 p.m. before this division.

**ALL OUT OF CUSTODY DEFENDANTS AWAITING A VERDICT SHALL PROVIDE TO THEIR ATTORNEY A MEANS TO CONTACT THE DEFENDANT SO THAT S/HE MAY BE PRESENT FOR THE VERDICT. ALL DEFENDANTS ARE REQUIRED TO STAY IN CONTACT WITH THEIR ATTORNEY SO THAT THEY MAY BE ADVISED THAT A VERDICT IS READY. ALL DEFENDANTS SHALL MAINTAIN PROXIMITY TO THE COURT SUCH THAT THEY MAY BE PRESENT WITHIN 30 MINUTES OF THE NOTICE THAT A VERDICT IS READY. THE FAILURE TO BE PRESENT WITHIN 30 MINUTES OF THE NOTICE THAT THE**

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**JURY IS READY TO RETURN THE VERDICT MAY RESULT IN THE COURT FINDING THAT THE DEFENDANT HAS VOLUNTARILY ABSENTED THEMSELF FROM THE PROCEEDINGS AND THE VERDICT MAY BE TAKEN IN THE ABSENCE OF THE DEFENDANT. IN ADDITION, THE FAILURE TO APPEAR FOR THE VERDICT WILL RESULT IN A WARRANT ISSUING FOR THE ARREST OF THE DEFENDANT.**